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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/480,644	01/10/2000	Richard Allen Dunlap	CISCP118	4562

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EXAMINER

SING, SIMON P

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 11/21/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

KS

Office Action Summary

Application No.

09/480,644

Applicant(s)

DUNLAP, RICHARD ALLEN

Examiner

Simon Sing

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

- 1.1 Claim 14 recites the limitation "the index" in line 1. There is insufficient antecedent basis for this limitation in the claim.
- 1.2 Claim 15 recites the limitation "the valid mask" in line 1. There is insufficient antecedent basis for this limitation in the claim.
- 1.3 Claim 24 recites the limitation "the plurality of modes" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1, 4, 5, 13-15, 17-20, 25 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Baals et al. US 5,487,104.

2.1 Regarding claims 1 and 25, Baals discloses a telephone set with a menu display screen in figure 2. Baals teaches a method for processing menu displays, comprising:
detecting a menu selection made by a user;
creating a message [child or sibling menu in a menu hierarchy, or a call-log];
processing the message and then displaying the message to the user [by CPU 113 in figure 1], wherein processing the message is based on which mode [present menu hierarchy level] from a plurality of modes [menu hierarchy levels] (column 4, lines 8-61).

2.2 Regarding claim 4, Baals teaches retrieving a menu label set based on the menu selection (column 4, lines 30-37).

2.3 Regarding claim 5, Baals teaches that the menu set label is displayed on screen 210 (column 4, lines 30-37).

2.4 Regarding claims 13 and 26, Baals discloses a telephone set with a soft displaying menu in figures 2 and 4-7. Baals teaches a method for processing menu displays, comprising:

storing a plurality of soft key labels sets [menus] wherein each soft key label set having an application in a particular context and includes a plurality of text strings;

retrieving a soft key label set based on the particular context; and

displaying the soft key label set on the display such that each text string from the plurality of text strings corresponds to a physical button on the telephone (column 4, lines 8-61).

2.5 Regarding claim 14, Baals teaches an index "done" which is invoked by a call plane object [soft key handling software] in figures 4-7.

2.6 Regarding claim 15, Baals teaches a mask, generated by a call plane object [soft key handling software], to block out soft key labels other than "done" in figures 4-7.

2.7 Regarding claim 17, Baals teaches an index "done" to retrieve a previous soft key label set in figures 4-7.

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2.8 Regarding claim 18, Baals teaches a mask to block out soft key labels other than "done" in figures 4-7.

2.9 Regarding claims 19 and 20, Baals teaches determining the particular context [which menu level] the telephone is in by examining the active menu level (figures 4-7).

3. Claims 1-3, 6-11, 21, 22, 24 and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Gorman et al. US 6,370,149.

3.1 Regarding claim 1, Gorman discloses a telephone set [telecommunication subscriber unit] in figure 8 (column 11, lines 38-52). Gorman teaches a method for processing menu displays, comprising:

detecting a menu selection made by a user (column 9, lines 28-38);

creating a message based on the menu selection, such as a line status when an outgoing call [speed dial] is placed (column 9, lines 28-45);

processing the message and then displaying the message to the user (column 9, lines 39-45), wherein processing the message is based on which mode [telephone] from a plurality of modes [telephone, fax and answering machine] (column 11, lines 23-37).

3.2 Regarding claim 2, Gorman teaches detecting a line status as discussed in claim 1.

3.3 Regarding claim 3, the telephone set has a processor 126 and built-in software (figure 7) for processing all menu selections.

3.4 Regarding claim 6, Gorman teaches creating an event (outgoing call) as discussed in claim 1.

3.5 Regarding claim 7, Gorman teaches that the telephone set is connected to a plurality of telephone lines and a user may place a call on any of the lines (column 10, lines 10-17).

3.6 Regarding claim 8, Gorman teaches creating an outgoing call [event], which is processed by a switch [call manage object] located in a telephone company's central office (figure 1; column 3, lines 15-25).

3.7 Regarding claim 9, the switch is located in a telephone company's central office as discussed in claim 8.

3.8 Regarding claim 10, it is inherent that the switch sends back a signal indicating the call is connected to its destination or not (dial tone, ring back or busy tone).

3.9 Regarding claim 11, Gorman teaches displaying calling line information (column 10, lines 1-9) on top of a multi-line status [telephone mode] (column 10, lines 10-17).

3.10 Regarding claims 21 and 27, Gorman discloses a telephone set [telecommunication subscriber unit] in figures 7 and 8 (column 11, lines 38-52) with a processor 126 and display unit 136. The processor has a data structure comprising:

- a first segment for displaying header information [of an incoming call] (column 9, lines 51-58);
- a second segment for displaying status information (column 10, lines 1-9);
- a third segment for displaying labels for a soft key set (column 16, lines 42-45; column 11, lines 45-47; column 9, lines 32-37); and
- a fourth segment for displaying information relating to a plurality of telephone lines (column 10, lines 10-17).

3.11 Regarding claim 22, Gorman teaches that the fourth segment related to a directory [speed dialing] (column 9, lines 32-37).

3.12 Regarding claim 24, Gorman teaches a setting mode [auto-answering] (column 11, lines 23-37), a directory mode [speed dialing] (column 9, lines 32-37) and a message mode (column 11, lines 23-37).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gorman et al. US 6,370,149 in view of Gerszberg et al. US 6,222,520.

Gorman discloses a telephone with soft keys for displaying calling line information in a telephone mode. Gorman further teaches a setting mode [auto-answering for fax and answering machine] (column 11, lines 23-37), a directory mode [speed dial] and a message mode [fax and answering machine], but fails to teach a service mode.

However, Gerszberg discloses a videophone with soft keys in figure 3A (column 6, lines 23-32). Gerszberg teaches a the videophone has a setting mode (column 8, lines 17-43; column 10, lines 53-62), a directory mode (column 7, lines 63-67; column 8, lines 1-5) and a service mode, such as sock market ticker, weather, sport information and telephone directories [white or yellow pages] (column 5, lines 45-57; column 10, lines 53-62; figures 7-9) for obtaining and displaying service information on the videophone.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Gorman's reference with the teaching of Gerszberg so that service companies' telephone number would have been stored in a directory, such as the speed dial, and once accessed, service information would have been displayed on the telephone, because such modification would have enabled the

telephone to display a service information, such as stock market ticker to a stock investor.

5. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gorman et al. US 6,370,149 in view of Gordon US 5,937,347.

Gorman discloses a telephone with soft key functions for displaying a set soft key labels next to the soft keys, but fails to teach that a set of soft key labels is located remotely.

However, Gordon discloses a subscriber telephone terminal with a display area 22 and a set of soft keys 23 in figures 1 and 2. Gordon teaches that soft key functions are transmitted from a server to the telephone terminal during a call to control the soft keys' displays (abstract, column 1, lines 6-60; column 3, lines 50-63).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Gorman's reference with the teaching of Gordon so that soft key labels would have been located remotely and transmitted to the telephone, because such modification would have enabled the telephone's soft keys to change their functionalities when interacting with different service companies.

6. Claims 23 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gorman et al. US 6,370,149 in view of Bertocci US 5,953,656.

Gorman discloses a telephone with display functions. Gorman teaches an active mode segment for displaying data relevant to one of a plurality of modes [telephone

mode or directory mode], a line detail segment (column 10, lines 1-9) and an overview segment for displaying an overview of all calls on the telephone (column 10, lines 1-17).

Gorman fails to teach a help display segment.

However, Bertocci discloses a telephone answering device in figure 8. Bertocci teaches providing a voice help menu to guide a user (column 9, lines 48-59). Bertocci further teaches displaying a help menu on a display located on a handset (column 10, lines 43-63).

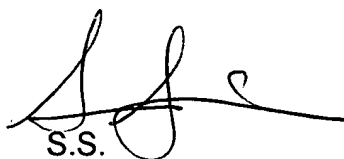
Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Gorman's reference with the teaching of Bertocci so that a help display segment would have been included, because such modification would have enabled the telephone to guide a user to program its functions.

Conclusion

7. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is (703) 305-3221. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

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S.S.

10/24/2003

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SUPERVISORY PATENT EXAMINER
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